

the Revised Statutes of 1925, so as to authorize the commissioners' court of any county, in case of the inability of the regularly elected county judge to perform the duties of his office, or in case of his absence from the county for a period of Ten (10) days, to appoint some person qualified under the law to be elected to the office of county judge, to serve as county judge during the disability or absence of the regularly elected county judge, and during such time, to have and exercise all of the powers of the duly elected county judge of such county, and to provide for the compensation of the person selected; repealing all laws or parts of laws in conflict herewith and declaring an emergency."

The bill was read first time.

Senator Small moved that the bill be referred to the Committee of the Whole Senate and that the Senate recess and resolve itself into the Committee of the Whole for the purpose of consideration of the bill in committee.

Senator Van Zandt moved that the constitutional rule limiting consideration of bills by committees during the earlier days of the Regular Session of the Legislature be suspended to allow consideration by the Committee of the Whole of S. B. No. 88 during the first 30 days of the session.

The motion prevailed by the following vote:

Yeas—26.

Aikin.	Newton.
Brownlee.	Pace.
Burns.	Rawlings.
Cotten.	Redditt.
Davis.	Roberts.
Head.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Ishell.	Sulak.
Lemens.	Van Zandt.
Moore.	Weinert.
Neal.	Westerfeld.
Nelson.	Winfield.

Absent—Excused.

Beck.	Spears.
Collie.	Woodruff.
ONeal.	

Question then recurring on the motion of Senator Small, it prevailed;

and the Senate accordingly, at 1:30 o'clock p. m., resolved itself into the Committee of the Whole.

The Senate was called to order, as in legislative session, at 2:45 o'clock p. m. by the President Pro Tempore.

The report of the Committee of the Whole on Senate Bill No. 88 was received.

Senator Rawlings moved to recommit S. B. No. 88 to the Committee on Civil Jurisprudence.

The motion prevailed.

Adjournment.

On motion of Senator Shivers, the Senate, at 2:50 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

Report of Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Jan. 20, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 55 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Report of Committee of the Whole.

Senate Chamber,

Austin, Texas, Jan. 20, 1937.

Hon. Will D. Pace, President Pro Tempore of the Senate.

Sir: We, your Committee of the Whole, to whom was referred S. B. No. 88, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it be referred to the Committee on Civil Jurisprudence.

PACE, Chairman.

SEVENTH DAY.

(Thursday, January 21, 1937.)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called, and the following Senators were present:

Aikin.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Cotten.	Roberts.
Davis.	Shivers.
Head.	Small.
Hill.	Spears.
Holbrook.	Stone.
Isbell.	Sulak.
Lemens.	Van Zandt.
Moore.	Weinert.
Neal.	Westerfeld.
Nelson.	Winfield.
Newton.	

The following Senators were absent and excused:

Beck.	Oneal.
Collie.	Woodruff.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Aikin.

Leaves of Absence Granted.

Senator Oneal was granted leave of absence for today on account of important business, on motion of Senator Nelson.

Senator Beck was granted leave of absence for the remainder of this week on account of a death in his family, on motion of Senator Cotten.

Senator Collie was granted leave of absence for today on account of illness, on motion of Senator Van Zandt.

Senator Woodruff was granted leave of absence for today on account of important business, on motion of Senator Davis.

Senate Bills on First Reading.

The following Senate bills were introduced, read severally first time, and referred by the President Pro Tempore to appropriate committees, as follows:

By Senator Spears:

S. B. No. 89, A bill to be entitled "An Act amending Article 1583 of the Penal Code of Texas, 1925, relating to work and vacation of firemen and policemen in cities of more than twenty-five thousand (25,000) inhabitants and in cities of more than thirty thousand (30,000) in-

habitants; fixing the number of hours that shall constitute a legal day's work in such departments; providing for emergency pay; providing for a minimum wage scale; providing penalty for violation of the provisions of this article, and declaring an emergency."

Referred to Committee on Labor.

By Senator Neal:

S. B. No. 90, A bill to be entitled "An Act amending Article 7005, Chapter 7, Title 121, of the Revised Civil Statutes of Texas, as amended by Acts 1931, Forty-second Legislature, page 755, Chapter 299, as further amended by Acts 1931, Forty-second Legislature, page 852, Chapter 360, Section 1, as further amended by Acts 1933, Forty-third Legislature, page 14, Chapter 10, and as further amended by Acts 1933, Forty-third Legislature, page 636, Chapter 213, so as to exempt Hidalgo County from the provisions of said Chapter 7, Title 121, and abolishing the office of Inspector of Hides and Animals in said county, and declaring an emergency."

Referred to Committee on Stock and Stock Raising.

By Senator Small:

S. B. No. 91, A bill to be entitled "An Act amending Article 752 of Chapter 7, Title 12, of the Penal Code of 1925, as amended by Section 15 of Chapter 244, page 606, of the Acts of the Regular Session of the Forty-fourth Legislature; and amending Chapter 7, Title 12, of the Penal Code of 1925, as amended by Section 16 of Chapter 244, page 606, of the Acts of the Regular Session of the Forty-fourth Legislature, and declaring certain legislative intent in respect to this Act, and declaring an emergency."

Referred to Committee on Public Health.

By Senator Small:

S. B. No. 92, A bill to be entitled "An Act amending Chapter 65, House Bill No. 104, Acts First Called Session, Forty-first Legislature, Section 20 thereof, by changing the renewal fee from \$2.50 per year thereof to \$3.50 per year; by amending Section 21 to provide for stricter regulations with reference to health regulations by creating a new section known as 23a; providing for an annual license

fee on barber shops, providing for a fee as a prerequisite to opening and operating a barber shop, defining the barber school and providing for a fee for an inspection thereof; providing for suspension and revocation of shop licenses to operate by the State Barber Board and amending Section 26 with reference to the terms of the State Board of Barber Examiners and declaring the provisions of this Act to be severable; repealing all laws and parts of laws in conflict herewith and declaring an emergency."

Referred to Committee on Public Health.

By Senator Weinert:

S. B. No. 93, A bill to be entitled "An Act making it lawful for the commissioners' court of Comal County to pay out of the general fund of such county bounties for the destruction of predatory animals, providing that on petition of one hundred freeholders the commissioners' court of such county may provide amount of bounty and method of proof to entitle claimant to obtain such bounty, and prescribing manner of payment and declaring an emergency."

Referred to Committee on Counties and County Boundaries.

By Senator Cotten:

S. B. No. 94, A bill to be entitled "An Act to amend Article 1813 of the Revised Civil Statutes of 1925 so as to add thereto a provision for the appointment of a special commissioner to serve with and assist a Court of Civil Appeals where a member thereof shall be disabled by illness, or otherwise, and whose disability shall be certified to the Governor, by the Chief Justice of said Court, or by any two (2) members thereof, providing for the powers and compensation of such commissioner, and further providing for emergency."

Referred to Committee on Civil Jurisprudence.

By Senator Redditt:

S. B. No. 95, A bill to be entitled "An Act relating to the salaries of all state officers and all state employees, except judges of the district and all appellate courts, judges of the Supreme Court Commission of Appeals, judges of the Commission in aid of the Court of Criminal Ap-

peals, Attorney General and those constitutional state officers whose salaries are specifically fixed by the Constitution; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Finance.

By Senator Redditt:

S. B. No. 96, A bill to be entitled "An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1937, at the several State institutions of higher learning in the State of Texas, authorizing the expenditure by said institutions of certain additional amounts from fees collected from summer school students, and declaring an emergency."

Referred to Committee on Finance.

By Senator Head:

S. B. No. 97, A bill to be entitled "An Act making an emergency appropriation for John Tarleton Agricultural College, a branch of Agricultural and Mechanical College of Texas, for the purpose of erecting a water tower on the campus of said college to be used by it, and declaring an emergency."

Referred to Committee on Finance.

By Senator Newton:

S. B. No. 98, A bill to be entitled "An Act providing that Senate Bill 146, Chapter 181, Sub-section (2) of Section 12 enacted by the Regular Session of the Forty-fourth Legislature, be amended by eliminating said Sub-section (2) and further providing for fifteen captains, twenty sergeants and three hundred privates in the Texas State Highway Patrol, and declaring an emergency."

Referred to Committee on State Highways and Motor Traffic.

Senate Resolution No. 11.

Senator Aikin offered the following resolution:

Whereas, "Colonel" Tom DeBerry, former State Senator and friend of the "Splivens" boys, is in the Capitol Building; now therefore, be it

Resolved by the Senate, That he be granted the privileges of the floor for today and be invited to address the Senate.

PACE,
AIKIN.

The resolution was read and was adopted unanimously.

The President Pro Tempore appointed Senators Aikin, Hill and Van Zandt to escort Hon. Tom DeBerry, former State Senator, to the President's stand, where Senator Aikin presented him to the Senate.

Senator DeBerry then addressed the Senate.

Senate Joint Resolution on First Reading.

The following Senate joint resolution was introduced, read first time, and referred by the President Pro Tempore to the Committee on Labor:

By Senators Shivers, Pace, Westerfeld, Lemens, Rawlings, Van Zandt and Winfield:

S. J. R. No. 6, Ratifying an amendment to the Constitution of the United States of America passed by the Sixty-eighth Congress of the United States of America, at its first session, which amendment empowers the Congress to limit, regulate and prohibit the labor of persons under eighteen years of age.

Senate Joint Resolution No. 6 Ordered Printed.

On motion of Senator Shivers, it was ordered that S. J. R. No. 6 be printed in advance of its consideration in committee.

Senate Joint Resolution No. 6 Re-referred.

Senator Holbrook moved to re-refer S. J. R. No. 6 to the Committee on Constitutional Amendments.

Yeas and nays were demanded, and the motion to re-refer prevailed by the following vote:

Yeas—14.

Aikin.	Neal.
Brownlee.	Newton.
Burns.	Redditt.
Davis.	Roberts.
Head.	Stone.
Holbrook.	Sulak.
Isbell.	Weinert.

Nays—10.

Cotten.	Rawlings.
Hill.	Shivers.
Lemens.	Van Zandt.
Nelson.	Westerfeld.
Pace.	Winfield.

Present—Not Voting.

Moore.	Spears.
Small.	

Absent—Excused.

Beck.	Oneal.
Collie.	Woodruff.

Senate Bill No. 54.

Senator Redditt, by unanimous consent, submitted, at this time, the report of the Committee on Finance on S. B. No. 54.

On motion of Senator Redditt and by unanimous consent, the rules requiring printed copies of a bill to be on the desk of each Senator 24 hours before consideration of the bill by the Senate and requiring a committee report to lie over one day before consideration of the bill reported were severally suspended, to permit consideration by the Senate of S. B. No. 54 at this time.

The President Pro Tempore then laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 54, A bill to be entitled "An Act making an appropriation for the payment of the increase in salaries of the several constitutional officers of the State of Texas as authorized by constitutional amendment voted November 3, 1936; fixing the salaries and providing method of payment of these salaries; supplementing the original appropriation made by the Forty-fourth Legislature for the payment of salaries to these officials, and declaring an emergency."

The bill was read second time.

Senator Redditt offered the following committee amendments to the bill:

(1)

Amend S. B. No. 54 by adding the following:

For furniture, equipment and repairing of the executive offices \$2500.00.

(2)

Amend S. B. No. 54 by amending the caption thereof to conform with the body of the bill.

The committee amendments were adopted severally.

The bill as amended was passed to engrossment.

Senator Redditt moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 54 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27.

Aikin.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Cotten.	Roberts.
Davis.	Shivers.
Head.	Small.
Hill.	Spears.
Holbrook.	Stone.
Isbell.	Sulak.
Lemens.	Van Zandt.
Moore.	Weinert.
Neal.	Westerfeld.
Nelson.	Winfield.
Newton.	

Absent—Excused.

Beck.	Oneal.
Collie.	Woodruff.

S. B. No. 54 was then laid before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27.

Aikin.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Cotten.	Roberts.
Davis.	Shivers.
Head.	Small.
Hill.	Spears.
Holbrook.	Stone.
Isbell.	Sulak.
Lemens.	Van Zandt.
Moore.	Weinert.
Neal.	Westerfeld.
Nelson.	Winfield.
Newton.	

Absent—Excused.

Beck.	Oneal.
Collie.	Woodruff.

Message From the House.

A Clerk from the House was recognized to present the following message:

4—Jour.

Hall of the House of Representatives,
Austin, Texas, Jan. 21, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate Amendments to H. C. R. No. 7 by a viva voce vote.

The House has adopted the following resolution:

H. C. R. No. 11, Granting permission to the House of Representatives and the Senate to adjourn from Thursday, January 21, 1937, to Monday, January 25, 1937.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Concurrent Resolution No. 11.

On motion of Senator Burns, and by unanimous consent, the rule requiring resolutions to be referred to a committee was suspended to permit consideration by the Senate at this time of H. C. R. No. 11, received from the House today.

The President Pro Tempore then laid before the Senate:

H. C. R. No. 11, Authorizing adjournment of the House of Representatives and the Senate from Thursday, January 21, 1937, to Monday, January 25, 1937.

The resolution was read and was adopted.

Resolutions Signed.

The President Pro Tempore signed in the presence of the Senate, after giving due notice thereof, the following resolutions:

S. C. R. No. 8, Authorizing the State Highway Department to lend certain equipment to the County of Morris.

H. C. R. No. 7, Providing parking space in the Capitol grounds for the Members of the House and Senate and newspaper correspondents.

H. C. R. No. 8, Providing for a joint session of the House and Senate to inaugurate the Governor and Lieutenant Governor of Texas.

Senate Resolution No. 9.

On motion of Senator Cotten and by unanimous consent, Senate Resolution No. 9 was recalled from the Committee on Agriculture and was

taken up for consideration at this time.

The resolution was read and was adopted.

Adjournment.

On motion of Senator Rawlings, the Senate, at 10:55 o'clock a. m., adjourned until 10 o'clock a. m., Monday, January 25, 1937.

APPENDIX.

Reports of Standing Committees.

Committee Room,

Austin, Texas, Jan. 21, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 54, A bill to be entitled "An Act making an appropriation for the increase in salaries of the several constitutional officers of the State of Texas authorized by constitutional amendment voted November 3, 1936; fixing the salaries and providing method of payment of these salaries; supplementing the original appropriation made by the Forty-fourth Legislature for the payment of salaries to these officials, and declaring an emergency,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments, and that it be not printed.

REDDITT, Chairman.

Committee Amendment No. 1.

Amend S. B. No. 54 by adding the following:

For furniture, equipment and repairing of the executive offices \$2500.00.

Committee Amendment No. 2.

Amend S. B. No. 54 by amending the caption thereof to conform with the body of the bill.

EIGHTH DAY.

(Monday, January 25, 1937.)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called, and the following Senators were present:

Aikin.	Newton.
Beck.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Collie.	Roberts.
Cotten.	Shivers.
Davis.	Spears.
Head.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.

The following Senators were absent and excused:

Hill.	Small.
Oneal.	

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of Thursday, January 21, 1937, was dispensed with, on motion of Senator Woodruff.

Leaves of Absence Granted.

Senator Small was granted leave of absence for today, on account of important business, on motion of Senator Moore.

Senator Hill was granted leave of absence for today, on account of the death of his mother, on motion of Senator Cotten.

Senator Oneal was granted leave of absence for today, on account of important business, on motion of Senator Nelson.

Report of Standing Committee.

A report on S. B. No. 93 was submitted by the chairman of the committee to which it was referred.

Report of Select Committee.

Senator Holbrook submitted a report of the committee appointed pursuant to Senate Resolution No. 96, adopted by the Senate during the Regular Session of the Forty-fourth Legislature.

On motion of Senator Holbrook, the report was ordered printed as a separate supplement to today's Journal.